

S.B. CRIMINAL MISC. PETITION NO. 533/1996

Date : 20.04.2005

HON'BLE MR. B. PRASAD, J.

Mr. Rameshwar Hedau for the petitioners.

Mr. K.C. Samdariya for the respondents.

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Heard.

The petitioners have already filed civil suit which is pending since 1994. Their application for seeking injunction is already pending. Having not obtained an appropriate order from the Civil Court, the petitioners have neglected to protect their own rights. If the trial court has come to the conclusion that there is a danger of imminent nature and has gone to pass the order under challenge, the remedy of petitioner lies in Civil Court for seeking proper direction, more particularly, when the civil suit has already been filed and is pending for more than eight years. The order of the Magistrate also says that his order will abide by the order of Civil Court. In these circumstances, the misc. petition is not entertained and is hereby dismissed.

(B. PRASAD), J.

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